(ङ) पर्यटन पहले ही उद्योग के एक महत्वपूर्ण भाग के रूप में उभरा है और शताब्दी के अंत तक, अर्थ व्यवस्था में इसका योगदान बढ़ने की संभावना है।

Export House Status to Tourism

465. SHRI SURESH KALMADI: Will the Minister of TOURISM be pleased to state:

(a) whether it is a fact that Government have accorded export house status to tourism; and

(b) if so, what are the details of benefits which will accrue to tourism industry as a result of this status?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM (SHRI OMAK APANG): (a) Yes, Sir.

(b) As notified by Ministry of Commerce vide Notification No. 33 (RE-98) 1997—2002 dated 26.11.98, Hostels, Travel Agents, Tour Operators, Tourist Transport Operators shall be entitled for recognition as an export house/trading house/star trading house/super star trading house. They shall be entitled to such benefits as specified in Chapter 12 of the Handbook of Procedures (Volume-I). However, the entitlement of SIL under chapter 12 shall be calculated on the basis of payments received in free foreign exchange instead of FOB value of exports.

RE. CORRIGENDUM TO THE MEMORANDUM OF ACTION TAKEN ON THE FINAL REPORT OF THE JAIN COMMISSION OF INQUIRY

MR. CHAIRMAN: I have got a request from the hon. Member, Shri Md. Salim. He wants to raise a question with regard to Item No. 1(II) in today's List of Business. Mr. Salim, under what rule do you want to raise this question?

SHRI MD. SALIM (West Bengal): Sir, according to the rules of procedure and Conduct of Business in the council of States, the Minister has every right to issue a correction in respect of any paper that has already been laid on the Table of the House. But the rule does not permit the premature publication of any document. Once a paper is laid on the Table of the House, it becomes the property of the House. Now, according to the Memorandum of Action Taken on the final Report of the Jain Commission of Inquiry... (*Interruptions*)

MR. CHAIRMAN: I am not putting that question. What I am asking from you is: If you want to raise any question with respect to Item No. 1(II) in today's List of Business, under what rule of the Rules of Procedure and conduct of Business in the council of States do you want to raise it?

SHRI MD. SALIM: Sir, it is a question of procedure. I can refer to the specific rule, I am referring to the practice that the Minister cannot prematurely publicise any document by holding a Press conference outside the House, and then subsequently, come and lay the same on the Table of the House. Originally, this document had already been laid on the Table of the House. The Minister can make a correction. But he cannot come to the House and lay the same document on the Table of the House after making an announcement in the public. this is what has been laid down.

MR. CHAIRMAN: Now, I would refer to the Rules of Procedure and conduct of Business in the Council of States. Rule 212.O says: "A member wishing to raise any of the matters referred to in rule 212.H shall communicate it to the Committee and not raise it in the Council." so, if it is to be referred, it shall be communicated to the Committee and not raise in the Council. (*Interruptions*)

SHRIMATI JAYANTHI NATARAJAN (Tamil Nadu): Sir, this is what is provided in the rule.

SHRI MD. SALIM: It is a premature publication of various other matters relating to the Business of the House.

MR. CHAIRMAN: There shall be a Committee on Papers Laid on the Table and then under rule 212.O "A member wishing to raise any of the matters referred to in rule 212.H shall communicate it to the Committee and not raise in the Council." that is the rule.

SHRI MD. SALIM: Sir, I beg your permission. According to the rule, the content of the correction and the report is not to be discussed here. It should be discussed in the Committee, that is, the Committee on Papers Laid on the Table. But I am objecting to the very question of laying a paper here.

SHRIMATI JAYANTHI NATARAJAN: Sir, how can he lay it on the Table of the House?

SHRI MD. SALIM: Sir, according to today's List of Business, Item No. 1(II) has been listed and we have every right to raise objection.

MR. CHAIRMAN: The Government has a right to lay it on the Table of the House. *(Interruptions)*

SHRI MD. SALIM: I have objected to that. It is an important question, Sir.

MR. CHAIRMAN: I would like to refer to page 1723 of the book, 'Rajya Sabha at Work'—Competence to Lay on the Table. "It is for the Government to decide whether a report or a paper is to be placed on the Table of the House. So, the Chairman has refused to give directions also..."

If you have any objection, please write to me and we will certainly send it to the Committee to look into it. Now it is not allowed.

SHRIMATI JAYANTHI NATARAJAN: Sir, I have also given notice. Please allow me to speak.

MR. CHAIRMAN: I will be applicable to both of you.

SHRI MD. SALIM: It will set a wrong precedent. You can ask us not to discuss the content. But the Member has every right to question the right of the Minister to come before the House to lay certain papers on the Table of the House. *(Interruptions)* Sir, this has already been published. The Minister has written to the Chief Minister concerned. I don't have any objection about the contents of the correction. But the question is, this House had been rocked several times on this issue. Several Governments were rocked on the issue of Jain Commission Report and the Action Taken Report had accused someone. You had discussed it for four hours, had derived a political mileage out of that and now you have silently corrected it and sent a letter to the Chief Minister of Tamil Nadu and then addressed a press conference. After four months, you come to the House and say: "I am correcting it." Sir, this shows how they are subverting the parliamentary procedure. They don't have the right to do so. Before making a correction and before making it public, they have to come to the House.

It has already been laid on the Table of the House.

SHRIMATI JAYANTHI NATARAJAN: Sir, I have given a notice. I may be permitted.

SHRI MD. SALIM: Sir, the Action Taken Report should not be allowed to be laid now unless the Minister concerned tenders an apology to the House. Sir, my objection is whether, before correcting it in public, he applied to you, wrote to you for making the correction. Has he informed the Secretary-General? I am asking this because, according to the rule, once a paper is laid on the Table of the House, it becomes the property of the House, and if the Minister intends to correct an error in it, he has to seek your permission, and then, after seeking your permission, he can correct it. But here, Sir, they have corrected it outside; they made it public and then they are coming

to the House and seeking your permission! We can't tolerate this unless he tenders an apology to the House. ...*(Interruptions)*...

SHRIMATI JAYANTHI NATARAJAN: Sir, please permit me. I have given a notice. ...*(Interruptions)*... Sir, I have given a notice; please me. I may be permitted, Sir. ...*(Interruptions)*... Sir, I would like to say something.

With respect, Sir, you referred to Rule 212.

MR. CHAIRMAN: Yes.

SHRIMATI JAYANTHI NATARAJAN: Sir, that is with relation to what is actually contained in it. We are not concerned with what is contained over there. Our issue is the question of breach of privilege of this House because a paper is being laid after being made public outside. if, before laying it on the Table of the House, the Minister has made it public, i.e. three months ago, and the entire public of India and the newspapers of India have seen it, it is an insult to the House to lay it on the Table threreafter. It is a breach of privilege of the House. That is why we are objecting to it. It makes no sense to lay it afterwards. We all read it in the newspapers three months ago. That is the issue we are raising, and not an issue with regard to the actual correction. It should not go before the Committee, Sir. It is a breach of privilege of the House and the Home Minister should unconditionally apologise. The House should accept it before he places it on the Table.

MR. CHAIRMAN: Here, in the "Practice and Procedure of Parliament", at page 882, it is stated under the caption "Correction in the Paper Laid on the Table":

> "When the mistake is considered to be of a minor or verbal nature, it is corrected in the authenticated copy of the paper...."

SHRIMATI JAYANTHI NATARAJAN: Is it 'minor'? ...*(Interruptions)*...

MR. CHAIRMAN: Let me complete it. ...*(Interruptions)*... Please let me complete it.

> "When the mistake is considered to be of a minor or verbal nature, it is corrected in the authenticated copy of the paper and also in the copies thereof placed in the Library without requiring a formal corrigendum to be laid on the Table."

That is what is given there. So, they have laid it.

SHRIMATI JAYANTHI NATARAJAN: The U.F. Government fell on this. ...*(Interruptions)*... The U.F. Government fell on this. ...*(Interruptions)*... This is a matter on which the United Front Government fell. ...*(Interruptions)*...

SHRI MD. SALIM: Sir, it is a question of political dimension. ...*(Interruptions)*...

SHRIMATI JAYANTHI NATARAJAN: Why did he not do it? ...*(Interruptions)*...

SHRI MD. SALIM: Sir, every day a Minister comes either from this Government or from that Government....*(Interruptions)*...

MR. CHAIRMAN: I don't understand anything. Both of you are speaking together.

SHRI MD. SALIM: Every day, Ministers come and correct. It is not an annual report. It is not a statement of accounts. It is not a typographical mistake. It has a political connotation and, Sir, my point is that Minister after Minister had taken the floor of the House and the valuable time of the House and made speeches on the basis of the Action Taken Report, and afterwards sliently they corrected it. Sir, the whole thing is motivated and this is a subversion of the parliamentary practice. My question is this is a disrespect to the House and to the Chair. Sir, they could have asked you. If they have already asked you, in writing, before the publication of the correction, I don't have any objection. If they have not written to the

Secretary-General, and if they have not sought your permission and have corrected it silently outside and then they are coming to the House, you shouldn't allow them. The Minister should tender an apology. Then I don't have any objection. Or, you don't allow...*(Interruptions)*...

SHRIMATI JAYANTHI NATARAJAN: How can it be minor? Sir, a Government fell on this. ...*(Interruptions)*...

SHRI S. M. KRISHNA (Karanataka): Sir, the moot question is....*(Interruptions)*... Sir, you referred to page 882. ...*(Interruptions)*...

MR. CHAIRMAN: Let me hear Mr. Krishna.

SHRI S. M. KRISHNA: Sir, you were pleased to refer to page 882 of Kaul and Shakdher. Are you satisfied that it is only a minor mistake which has been clarified? It is certainly not a minor mistake. When it is not a minor mistake, he should have taken you into confidence, written to you and then come before the House. If it is a verbal correction, if it is a grammatical indicated that if it were of a minor nature, perhaps, there is no need to lay it on the Table of the House again. It can be done even in the records, if it is of a minor nature. But because this had a significance, instead of one chapter head being there, it was brought under another chapter. Nothing. else has been added except that the chapter head under which it fits in has been corrected. That is all. Because of the significance of it, the moment they drew my attention to it that this was under a wrong head, I said, "Well, it is under a wrong head. It is a mistake. The moment the Parliament meets, in deference to the Parliament I will correct it". That is exactly what I have done. correction, then it is understandable. But it is not a grammatical correction.

MR. CHAIRMAN: They have changed the headline. ...*(Interruptions)*... They have changed the headline.

SHRIMATI JAYANTHI NATARAJAN: They have done all sorts of things.

MR. CHAIRMAN: Let me say. What they have done is this. Here is a letter which we received from the Home Ministry and in this what they have said is, — the wording remains the same—"Shri M. Karunanidhi was also not interrogated. On many matters his interrogation was quite relevant". That remains. They have only given a headline "Stand of the SIT on theories beyond LTTE". That is the only thing which they have changed. *(Interruptions)*...

SHRI H. HANUMANTHAPPA (Karnataka): Sir, the question is not of the contents. *(Interruptions)*...

MR. CHAIRMAN: Let me hear him.

SHRI H. HANUMANTHAPPA: Mr. Chairman, it is not a question of contents. It is privilege of the House. What is the forum that the Minister has chosen? *(Interruptions)*... What is the forum that the Minister has chosen to correct it? *(Interruptions)*...

MR. CHAIRMAN: Let me hear him. *(Interruptions)*...

SHRI H. HANUMANTHAPPA: Please, hear me. Before you give your ruling, please hear me, Sir. We are not questioning the contents. What is the forum that the Minister has chosen to correct it? He has corrected outside the papers mentioned under "Papers to be laid on the Table of the House". He is coming before the House after three months. Is it right? That is the point. *(Interruptions)*.... We are not worried about the contents. *(Interruptions)*... But the forum he has chosen to correct it is a public place. That is the point. *(Interruptions)*...

SHRI NILOTPAL BASU (West Bengal): Since the House was not in session, has the Home Minister sought your permission before going to the Press Conference? That is the point. *(Interruptions)*...

SHRI T. N. CHATURVEDI (Uttar Pradesh): That was done with the intention to correct. *(Interruptions)*... The intention was to correct it. *(Interruptions)*...

MR. CHAIRMAN: Let me hear the Home Minister. *(Interruptions)*...

THE LEADER OF THE HOUSE (SHRI SIKANDER BAKHT): Please give your ruling, Sir.

MR. CHAIRMAN: The Home Minister wants to say something. Let me hear him.

THE MINISTER OF HOME AFFAIRS (SHRI L. K. ADVANI): Sir, what you have just now read out only This is in a way deference to the Parliament. If it were totally of a minor nature, it could have been done only by telling you, "This is a mistake. Kindly correct it. It is a typographical mistake or a spelling mistake." But it has a significance. Therefore, I am paying respect to the House when I specially come to bring this corrigendum. *(Interruptions)*...

MR. CHAIRMAN: That is all right now. Mr. L. K. Advani. *(Interruptions)*.....

PAPERS LAID ON THE TABLE

Ministry of Home Affairs Special order and Corrigendum to the Memorandum of Action Taken

THE MINISTER OF HOME AFFAIRS (SHRI L. K. ADVANI): Sir, I lay on the Table—

I. A copy (in English and Hindi) of the Ministry of Home Affairs Special Order No. 5/2/97.M. & G, dated the 4th September, 1998 regarding (i) provision for additional funds relating to the Raj Bhavan of the Governor of Assam for the financial year 1998-99 and (ii) hospitality and tour expenses of the Governor of Assam for the financial year 1998-99, under sub-section (3) of section 12 of the Governor (Emoluments, Allowances and Privileges) Act, 1982.

II. A copy of the Corrigendum to the Memorandum of Action Taken (MOAT) on the Final Report of the Jain Commission of Inquiry.

SHRI JANARDHANA POOJARY (karnataka): Sir, It is a right of the Members. *(Interruptions)*.... Sir, he has to apologise. *(Interruptions)*...

SHRI MD. SALIM (West Bengal): Sir, when the document is laid on the Table of the House it is the property of the House. Now it is a question of propriety. *(Interruptions)*... This document was lying in the library for four months. *(Interruptions)*... It was corrected outside. *(Interruptions)*... The House was not informed. *(Interruptions)*...

SHRI VIJAY KUMAR MALHOTRA (Delhi) You are all challenging the ruling of the Chairman. *(Interruptions)*.... Why do you challenge the ruling of the Chairman? *(Interruptions)*... Why has he given the ruling? *(Interruptions)*...

MR. CHAIRMAN: Please let me say. The House was not in session. If they have come to know that some mistake has been made, they have made the correction and informed the House at the earliest. There is nothing wrong about it. *(Interruptions)*... That is all right. *(Interruptions)*... Mr. George Fernandes.

Report and Account (1997-98) of the Bharat Earth movers Ltd., Bangalore and related papers.

THE MINISTRY OF DEFENCE (SHRI GEORGE FERNANDES): Sir, I lay on the table under sub-section (1) of section 619A of the Companies Act, 1956, a copy each (in English and Hindi) of the following papers:—

(i) Annual Report and Accounts of the Bharat Earth Movers Limited, Bangalore, for the year 1997-98, together with the Auditors' Report on the Accounts and the comments of the Comptroller and Auditor General of India thereon.

(ii) Statement by Government accepting the above Report Statement showing the action taken by Government on the various assurances, promises and undertakings.